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13 Metropolitan Police Department, Sheriff  
14 Joseph Lombardo, Sergeant Mark Cirkosz,  
15 Officer Jake Freeman, Officer Blake Vernon,  
16 and Officer Gerardo Reyes

17 **UNITED STATES DISTRICT COURT**

18 **DISTRICT OF NEVADA**

19 BRANDON SUMMERS,

20 Plaintiff,

21 vs.

22 LAS VEGAS METROPOLITAN POLICE  
23 DEPARTMENT, in its official capacity;  
24 CLARK COUNTY, a political subdivision of  
25 the State of Nevada; SHERIFF JOSEPH  
10001 Park Run Drive  
Las Vegas, Nevada 89145  
(702) 382-0711 FAX: (702) 382-5816  
LOMBARDO, an individual; SERGEANT  
MARK CIRKOSZ, an individual; OFFICER  
JAKE FREEMAN, an individual; OFFICER  
BLAKE VERNON, an individual; and  
OFFICER GERARDO REYES, an  
individual,

26 Defendants.

27 Case Number:  
28 2:20-cv-01815-APG-EJY

29 **JOINT STATUS REPORT**

30 Plaintiff BRANDON SUMMERS (“Plaintiff”), Defendants LAS VEGAS  
31 METROPOLITAN POLICE DEPARTMENT, SHERIFF JOSEPH LOMBARDO,  
32 SERGEANT MARK CIRKOSZ, OFFICER JAKE FREEMAN, OFFICER BLAKE  
33 VERNON, and OFFICER GERARDO REYES (collectively “LVMPD Defendants”), and  
34 Defendant CLARK COUNTY, by their respective counsel, hereby stipulate to the following:

35 1. During the Fed. R. Civ. P. 26(f) conference conducted on December 9, 2020,  
36 the Parties determined that this matter was appropriate for possible early resolution and that  
37 a stay of discovery and other deadlines would allow the Parties to explore the possibility of

1 settlement, without incurring the time and expense of ongoing discovery and other work  
2 during settlement discussions.

3 2. As such, the Parties entered into a stay of discovery and other deadlines so  
4 that the Parties could discuss settlement. ECF No. 16.

5 3. Plaintiff and LVMPD Defendants have participated in informal settlement  
6 discussions.

7 4. On July 23, 2021, Plaintiff sent LVMPD Defendants a formal demand.

8 5. On October 24, 2021, LVMPD Defendants responded to Plaintiff's demand  
9 and made an informal offer, subject to the approval of the Sheriff.

10 6. Plaintiff and LVMPD Defendants have made substantial progress in  
11 discussions but require additional time to agree to terms.

12 7. Plaintiff and the County have also had a discussion and anticipate having  
13 further discussions.

14 8. Accordingly, the Parties hereby agree and request the Court to enter a stay of  
15 all deadlines in the instant case until December 17, 2021.

16 9. Notwithstanding the stay, the Parties intend to and hereby agree to cooperate  
17 in the exchange of information as needed to facilitate settlement.

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1       10. The Parties further agree that, should they not be able to reach a settlement  
2 through informal discussion, they will provide an updated discovery plan and scheduling  
3 order to the Court within 14 days from the stay expiring.

4 Dated this 8th day of November, 2021

5 MCLETCHIE LAW

6 By: /s/ Margaret A. McLetchie

7 Margaret A. McLetchie, Esq.  
8 Nevada Bar No. 10931  
9 Leo S. Wolpert, Esq.  
10 Nevada Bar No. 12658  
11 701 E. Bridger Avenue, Suite 520  
12 Las Vegas, Nevada 89101  
13 Attorneys for Plaintiff Brandon  
14 Summers

Dated this 8th day of November, 2021

MARQUIS AURBACH COFFING

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13 Attorneys for Defendants Las Vegas  
14 Metropolitan Police Department, Sheriff  
15 Joseph Lombardo, Sergeant Mark  
16 Cirkosz, Officer Jake Freeman, Officer  
17 Blake Vernon, and Officer Gerardo  
18 Reyes

14 Dated this 8th day of November, 2021

15 CLARK COUNTY DISTRICT  
16 ATTORNEY'S OFFICE

17 By: /s/ Robert T. Warhola

18 Steven D. Wolfson, Esq.  
19 District Attorney  
20 Nevada Bar No. 1565  
21 Robert T. Warhola, Esq.  
22 Deputy District Attorney  
23 Nevada Bar No. 4410  
24 500 South Grand Central Pkwy., 5th Flr.  
25 Las Vegas, Nevada 89155-2215  
26 Attorneys for Defendant Clark County

24 **ORDER**

25 IT IS SO ORDERED this 9th day of November, 2021.

26   
27  
28 United States Magistrate Judge